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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,001	01/17/2001	John Wilhelm Geus	VER-110AX	3521

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WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP
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BOSTON, MA 02109

EXAMINER

LANGEL, WAYNE A

ART UNIT	PAPER NUMBER
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1754

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Please find below and/or attached an Office communication concerning this application or proceeding.



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Mailed: APR 9 2004

rvk
Paper No. 23

In re application of: :
John Geus et al :
Serial No.: 09/764,001 : DECISION ON
Filed: January 17, 2001 : PETITION
For: CATALYST AND METHOD FOR THE SELECTIVE OXIDATION OF
SULFUR COMPOUNDS TO ELEMENTAL SULFUR :

This is a decision to the PETITION TO WITHDRAW ABANDONMENT, filed November 24, 2003. The petition requests that the abandonment, as set forth in the Notice of Abandonment of November 05, 2003, for failure to timely file a Notice of Appeal (i.e. a proper response to the Office letter dated February 27, 2003). The petitioner asserts that applicants timely filed a Request for Continued Examination (RCE) together with a Petition for Extension of Time and a Request for Suspension of Action on June 24, 2003.

DECISION

The instant request is accepted as a timely petition under 37 C.F.R. 1.181 (no fee).

A review of the petitioner's evidence provided with the instant petition indicates that the request has merit. The evidence presented is sufficient to establish that the applicants did indeed file the proper response to the Office letter of February 27, 2003 in a timely manner. The submitted evidence are copies of a Request For Continued Examination, a Petition for Extension of Time for one month and a Request for Suspension of Action by facsimile on June 24, 2003 and a copy of the Auto-Reply Facsimile Transmission indicating receipt by the USPTO on June 24, 2003.



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Therefore, the Notice of Abandonment is hereby withdrawn. Hence, the case is returned to pending status. The application will be forwarded to the Technical Support Staff for processing the RCE and the Request for Suspension of Action filed June 24, 2003.

The Petition is **GRANTED**.

J. Stone

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